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ABSTRACT

Juvenile crime threatens the immediate safety and well-being of its victims. The cost of processing and punishing the offender takes money from more productive purposes. If the juvenile offender either continues a life of crime or otherwise drops out of the lawful economy, the cost to the community is a long-term burden. In the early 1970s, many states introduced programs for non-violent juvenile offenders. These programs included a measure of punishment and supervision coupled with opportunities for the young person to acquire skills to enter the legal work force. These programs are known as "alternatives to detention and corrections." The most effective programs are organized case management: one or two people take responsibility for the young person. The case manager makes sure that the programs are appropriate for the young offender, monitors the juvenile's progress, and generally ensures that the young person is doing what he is supposed to be doing and getting the help he needs. But these programs are not realizing their potential. There are no vigorous plans to expand them to a greater number of youth. As a consequence some youth are ignored until they have committed enough delinquent acts to get noticed. (This report describes programs for non-violent juvenile offenders in Cook County, Illinois, and how the programs could operate if there was commitment both to safety and to getting young offenders back into the legitimate job market.) (LLL)

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Before the Doors are Locked

Effective Alternatives to Incarceration for Non-Violent Juvenile Offenders

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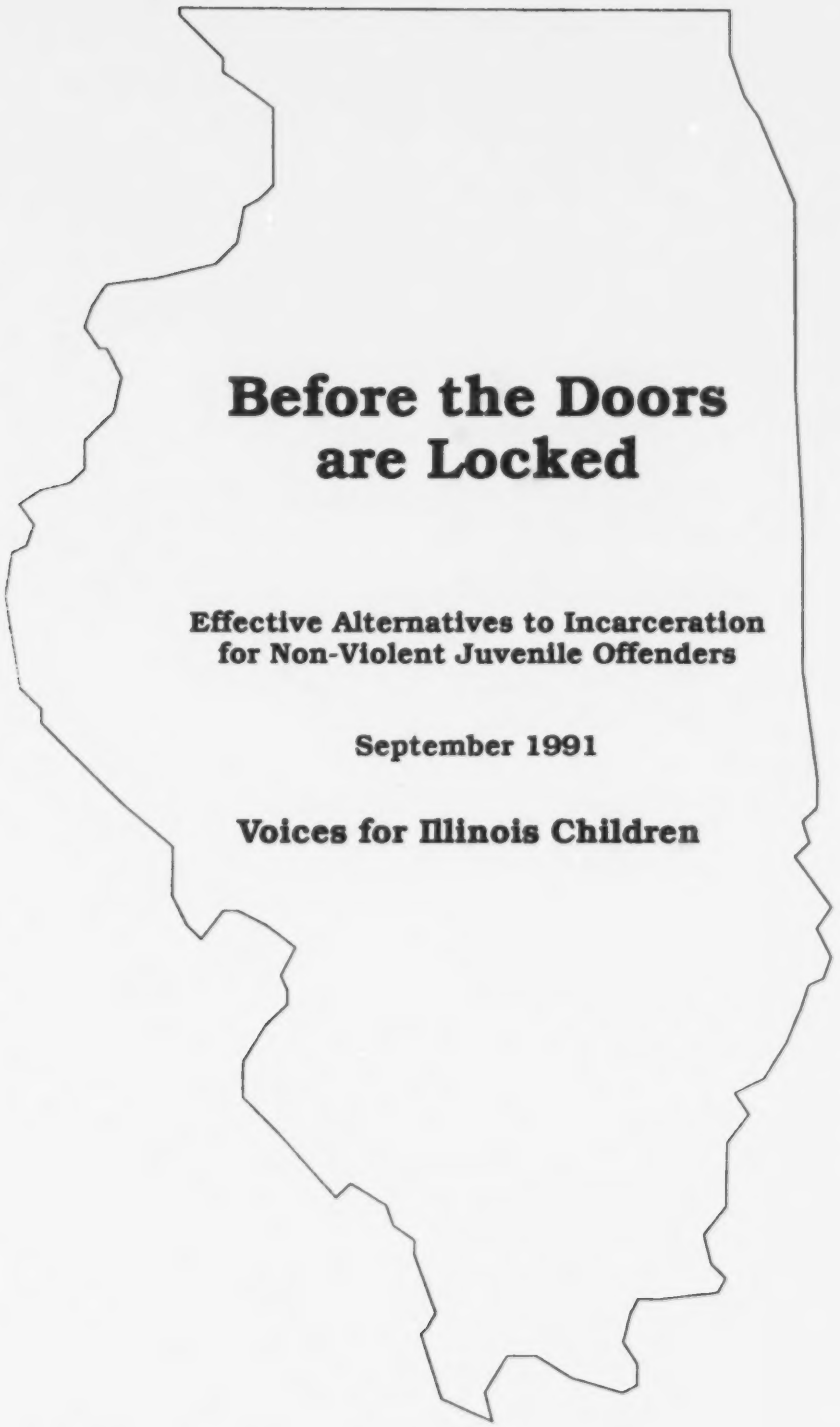
Gerald Hoffman works as a parcel post clerk at a bookstore in Chicago, a job he got through Jobs for Youth. Programs like Jobs for Youth prepare disadvantaged young people for the job market. (This photograph was produced independently of this report and bears no relationship to cases or incidents discussed therein.)



Before the Doors are Locked

Effective Alternatives to Incarceration for Non-Violent Juvenile Offenders

September 1991

Voices for Illinois Children

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Dear Reader:

Crime worries us all because we fear for our safety and the safety of our families. It should also worry us because of the enormous cost we pay for prisons and for the unproductive lives of inmates. The budget of the Illinois Department of Corrections has more than tripled in inflation adjusted dollars in the last ten years and there is no end in sight to the demand for prison cells.

Juvenile delinquency is particularly worrying because some young offenders graduate to a life of crime. Some young offenders, however, turn away from crime either spontaneously, or because someone offered them help and guidance at the same time they were being punished for their offences.

Illinois used to lead the nation in programs that combined punishment with help that put young offenders back on the path to finishing their education and getting their first lawful job. Many young offenders responded to these programs, and the programs were copied across the country. For the cost of a few thousand dollars per offender, Illinois saved itself the $34,000 annual cost of keeping a person in jail.

But in the last decade we have so reduced our committment to those successful programs that they serve only a small fraction of the young offender population.

This report describes programs designed for non-violent juvenile offenders in Cook County, and how the programs could operate if we were committed both to our safety and to getting young offenders back into the legitimate job market.

We urge you to read and discuss this report, and support our efforts to put more young offenders back on track.

Sincerely,

Nancy Stevenson

Nancy Stevenson
Chair of the Board of Directors

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Before The Doors Are Locked: Effective Alternatives to Incarceration for Non-Violent Juvenile Offenders

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Executive Summary

Before The Doors Are Locked: Effective Alternatives to Incarceration for Non-Violent Juvenile Offenders

Executive Summary

Juvenile crime is a triple threat. It threatens the immediate safety and well-being of its victims. The cost of processing and punishing the offender takes money from more productive purposes. Lastly, if the juvenile offender either stays with a life of crime or otherwise drops out of the lawful economy, the cost to the community is a long-term burden. In the early 1970s, many states introduced programs for non-violent juvenile offenders. These programs would include a measure of punishment and supervision coupled with opportunities for the young person to get back on the track of acquiring skills to enter the legal work force. Once the community's short term safety was assured, the emphasis shifted to long term safety, that is increasing the number of juvenile offenders who become productive adults.

These programs met with some success. They were not panaceas for failing schools, or impoverished communities, or job loss but they did place a number of young people back on track at a much lower cost than incarceration.

Illinois has such programs, but funding for them declined in years of fiscal crisis. That funding was not restored in better times, not because the programs had critics, but because the programs lacked supporters.

These programs are known as "alternatives to detention and corrections", and there are several small scale model programs in Cook County. The most effective programs are organized through a case management process: one or two people take responsibility for the young person. The case manager makes sure that the programs are appropriate for the young offender, monitors the juvenile's progress and generally ensures that the young person is doing what he is supposed to be doing and getting the help he most needs. But these programs are not realizing their potential. The programs are not well known. There are no vigorous plans to expand them to a greater number of youth. In consequence some youth are ignored until they have committed enough delinquent acts to get noticed. These youth who do not need to be incarcerated are sent either to the juvenile court's detention center or to one of the Illinois Department of Corrections' juvenile facilities.

Recommendations:

1. Juvenile Court decisions for juvenile offenders should be based on a case management system that gives one person the authority and the resources to develop an individual program for each adjudicated offender. That plan, presented at the dispositional hearing should combine an element of punishment with the assistance the juvenile needs to finish school and get attached to the legitimate job market.

2. The Juvenile Court should calculate the number of children who might benefit from alternative programs and set target dates for increasing the capacity of the various programs.

3. The Juvenile Intensive Probation Supervision program (Juvenile IPS) which currently has places for 150 offenders, should be doubled at the earliest opportunity, and then increased according to the estimated number of eligible youth.

4. Juvenile IPS should cease the automatic practice of placing program participants in the detention center at the beginning of the program, and should make such placements only when it is determined necessary by some predetermined criteria.

5. The Early Offender Program (EOP) for children aged 10-14 currently serves 72 children. This program should also be doubled, and plans should be made for further increases as appropriate.

6. Juvenile IPS and EOP should be more stringently evaluated. The outcome measures for the evaluation should include: rates and severity of future delinquent and criminal activities for a period after the program's completion and records of school attendance and educational attainment.

7. The Unified Delinquency Intervention Service, one of the most successful alternative programs in the country, should receive a massive increase in funding from its current $1.3 million. In constant dollars, this amount is only 21 percent of its 1976 funding level.

8. The Juvenile Court should expand the opportunities for young offenders to pay restitution for their delinquent acts.

9. The Court should set up criteria for situations in which electronic monitoring of juvenile offenders could reduce the number of offenders sent to detention or the Department of Corrections, and set up a trial program.

10. The juvenile detention center should provide diagnosis and referral programs to detained youth similar to the New York City detention center so that there is some mid-term benefit to pre-hearing and post-adjudication stays in detention.

11. All responsible parties, including state social service departments, should cooperate to increase the numbers of drug treatment programs available to young offenders.

Introduction

The criminal justice situation in Illinois, as in most of the United States, is grim. The adult prison population in the state has increased from 12,539 in 1980 to 28,500 in 1989 with a recent estimate of 50,000 inmates by the year 2000.[1,2] Statistics on juvenile crime reflect similar dismal trends. According to the Illinois Criminal Justice Information Authority "nearly 187,00 [delinquency] petitions were filed in Illinois between 1980 and 1988, or an average of 20,700 a year".[3] Almost 36% of these petitions resulted in delinquency findings. In Cook County alone 15,352 petitions were filed in 1988. Not only did the number of juveniles in the system increase over the years but so did the number of juveniles tried as adults. From 1984 to 1988 almost 950 juveniles were tried as adults in Cook County alone. The state has added fourteen prisons since 1975, and plans to open an additional facility when resources are available. The budget of the Illinois Department of Corrections increased sixfold from $101 million in FY75 to an appropriation of $614 million for FY92. These figures reflect a growth in serious crime, an increase in drug offences, and the movement, in the early 1980s, towards mandatory sentences.

The crimes themselves have the most direct impact on the communities in which they are committed. The cost of processing and imprisoning convicted criminals is putting increased pressure on the state budget. The number of convictions and imprisonments casts a shadow over entire communities. One study reported that nearly one out of four African American men is either behind bars, on probation, or paroled.[4]

While only a portion of juvenile offenders go on to lives of crime, most adult criminals start their careers during adolescence. If more juvenile offenders can be turned from a life of crime, everyone benefits. Punishing juvenile offenders while giving them the opportunity to take a law abiding path is not an exact science. But there is growing evidence that non-violent juvenile offenders do better if they are not locked up. Incarceration allows impressionable young offenders to hone their criminal behavior thus encouraging a life of crime. Strategies that include punishment and an attempt to sort out educational, familial, or personal difficulties have a better chance of success. A young person who successfully adapts to detention or prison may be no better off when he returns to his neighborhood. A young man who as a condition of his probation order goes back to school, passes his GED exams, holds down a part-time job or does some community service as restitution for his offense is struggling to adapt in the world he will one day confront.

Collectively, the juvenile offender population in Cook County has experienced a range of problems including poverty, poor education, a high rate of learning disabilities, dysfunctional families, homelessness, drug use, mental illness, physical and sexual abuse and pressure from gangs. For some, the roots of juvenile delinquency are far too tangled to be solved by a group of post-sentence programs. But if such programs can help some young people struggle back from juvenile crime, and the evidence is that these approaches have some success, the programs are worth expanding.

In the early 1970s there were many creative attempts to set up such alternative (alternatives to incarceration) programs. Illinois established the nationally famous Unified Delinquency Intervention Service (UDIS). At its height, UDIS offered a wide variety of programs including educational and vocational programs, family and individual counseling, advocacy, foster care and group home care, and a small number of highly structured group care places and psychiatric hospital places. Unlike other similar programs UDIS had the added distinction of taking youth who would otherwise have been sent to juvenile correctional facilities. Alternative programs can cope, therefore, with even serious non-violent offenders.

Programs like UDIS suffered the twin blows of diminishing federal support and losing state dollars when state budgets hit hard times. In FY 90 UDIS was funded at $32.4 million. For the 1991 and 1992 fiscal years it is funded at $31.7 million. The emergency is not all components including the residential option. If UDIS funding had kept pace with the rate of inflation, its current funding would be $35.7 million.

The state still experiments with creative alternative programs, but the programs are too small to have a significant impact. One such program is the Cook County Juvenile Intensive Probation Service program (Juvenile IPS). Another is the Early Offender Program (EOP) aimed at young, first time, adjudicated offenders. Restitution programs allow offenders to make up for their offense by either paying a monetary fine to the victim or serving the community in some way. Expanded drug treatment programs have proven successful with a reasonable percentage of their clients. Other states are trying home arrest and electronic monitoring either in an intensive probation program, or in place of probation. Electronic monitoring permits the juvenile authorities to tell whether a young offender is, for example, observing the curfew.

The key, however, to maximizing the number of offenders who get reconnected to education and lawful jobs is a coordinated approach described in recent amendments to the Illinois Criminal Code.[6] This approach increases sentencing alternatives for less serious delinquent offenders and establishes individualized plans to provide offenders with programs to enhance their ability to become contributing members of their community. This plan could be offered to a judge at the dispositional hearing as an alternative to detention or incarceration when appropriate. An individual program that offers an offender a particular service is not sufficient. A strategy with the promise that a responsible adult will monitor and help the young offender for a period of time in whatever ways are necessary would better serve the youth's needs.

In adult corrections, the National Council for Institutions and Alternatives has established projects in some jurisdictions where a volunteer family member, neighbor, or friend, takes that role. While ideally probation officers could play that role, their caseloads are currently too high. Moreover, their police-like responsibility for reporting infractions to probation orders may not suit them to the combination of roles that includes support and encouragement.

What Happens to Juvenile Offenders Now?

- How Many Juveniles are Delinquent?
- How Much Does Juvenile Delinquency Cost?

What Happens to Juvenile Offenders Now?

If a juvenile commits one or more delinquent acts and is reported to the authorities, a delinquency petition may be brought against the youth in juvenile court. The court's first task is not to discover whether a juvenile committed a particular act, but to determine whether or not the youth is delinquent (the adjudication hearing). Once a juvenile has been declared a delinquent the court will decide how to deal with the juvenile (the dispositional hearing).

The Court may treat an adjudicated juvenile delinquent in one or more of the following ways:

a) Probation: a probation order may include a variety of conditions including work, educational or vocational training, medical, psychiatric, psychological or substance abuse treatment, intermittent meetings with a probation officer, electronic monitoring, restitution and public or community service.

b) Conditional discharge: a conditional discharge order may require the conditions of a probation order last for a year.

c) Placement in other than the juvenile's home, e.g. in the custody of a suitable relative or other person.

d) Commitment to the Illinois Department of Children and Family services.

e) Partial or complete emancipation: with the approval of a minor's parents or guardian, the court may allow a juvenile 16 years or older to live wholly or partially independently if the minor has demonstrated the ability to manage his or her own affairs.

f) Restitution (if damage occurs).

g) Order of protection: any person might be ordered to stay away from the minor, or abstain from offensive conduct against the minor; or a person might be ordered to give proper attention to the care of the minor's home.

h) Detention for up to thirty days in a county facility if 10 years of age or older.

i) Commitment to the Illinois Department of Corrections if 13 years of age or older.[7] In Cook County, as elsewhere, the most common disposition is a probation order.

Table 1 below describes the pattern of dispositions in the County.

Table 1. Selected Dispositions Ordered For Juvenile Delinquents in Cook County 1983-1989[8,9,10,11,12,13]

Dispositions	1983	1984	1985	1986	1987	1988	1989
Probation	3,619	3,395	3,343	3,901	3,386	3,237	3,800
Outside Placement	847	568	475	771	1,049	978	2,000
Detention[a]	4,285	4,527	5,092	4,431	5,609	5,609	7,211
Commitment to IDOC	900	763	741	694	611	536	703
Restitution[b]	*	*	*	391	651	883	522

Probation is clearly the workhorse of the juvenile justice system, but in Cook County where each probation officer has a case load of 35 young offenders it cannot provide close monitoring and supervision of individual cases. The number of juveniles who are sent to the Juvenile Division of the Department of Corrections is comparatively small.

How Many Juveniles are Delinquent?

> *Nearly 187,000 delinquency petitions were filed in Illinois between 1980 and 1988, or an average of more than 20,700 a year. The number of petitions ranged from a high of 23,085 in 1988 to a low to 19,305 in 1984.*[14]

State-wide about 23,085 delinquency petitions were filed in court in 1988. While a juvenile petition may indicate a set of delinquent acts, any single offender may have multiple petitions preferred against him. In Cook County 15,352 delinquency petitions were filed in

[a]This figure includes commitments to the Departments of Mental Health, Children and Family Services, and the juvenile detention center.

[b]Restitution figures for the years marked with an * were not available.

1988.[15] (See Appendix II, Figure 1 for a depiction of changes in the number of delinquency findings over the past 11 years.)

Everyone is concerned about whether juvenile crime is on the rise. The best judge of juvenile delinquency trends is some measure of the rate of crime e.g. the number of delinquency petitions per 1,000 young persons. It is not a perfect figure partly because it conceals the actual number of juvenile offenders, and because different administrations in the States Attorney's Office have different policies about how many petitions they will pursue per juvenile delinquent. In the early 1980s, for example, the decision was made to pursue every petition brought against a juvenile rather than the most serious. This caused a drastic increase in the number of petitions. Not all juvenile crimes are violent, however. (For the trends in types of juvenile crime in Cook County for the last 11 years, see Appendix II, Figure 2.)

How Much Does Juvenile Delinquency Cost?

> *In FY 88, it cost the Illinois Department of Corrections an average of $2,139 a year to supervise a juvenile in its field services program, compared to $29,038 a year in a youth center. [Juvenile Correction Center]*[16]

Crime costs in several ways. There is the monetary, physical, and emotional cost to the victim. There is the cost of discovering, processing and punishing the offenders. Lastly there is the general cost of young men and women not being engaged in gainful, legal employment either because they are doing nothing while engaged in illegal actions, or because they are spending time locked up.

It is hard to calculate the exact cost of processing and punishing juvenile offenders. The costs of the juvenile court system are distributed in an unidentified way between the Juvenile Court's delinquency and child neglect and abuse budgets. The following table is a guide to the comparative costs of the juvenile correction system.

Table 2. Illinois Department of Corrections Juvenile Division Budget FY88- FY91[17,18]

	FY88	FY89	FY91 (est.)
Average daily population	1,182	1,182	1,248
Annual cost	$29,038	$31,111	$34,053
Average cost per offender per day	$79.56	$85.24	$93.30
Annual state appropriations	$33,968,000	$36,773,700	$42,498,600

The obvious point is that incarceration is very expensive and is getting more so. Good alternatives to corrections programs are not inexpensive but they are much more reasonable than incarceration. Probation is the least expensive of the alternatives available but the low-cost comes at the price of reduced effectiveness. Since the best alternative programs are producing recidivism rates at least as low as incarceration, they should be used instead of incarceration whenever appropriate for non-violent offenders.

How Do The Alternative Programs Work?

- The Court Process
- Juvenile Intensive Probation Supervision
- The Early Offender Program
- The Unified Delinquency Intervention Service (UDIS)
- Restitution
- Electronic Monitoring
- Detention
- Drug Treatment Programs

How Do Alternative Programs Work?

The Court Process

> *Research has shown that while no one program formula works for all offenders, many different types of programs have had measurable success with some participants. The task is to match the profile of the individual offender with the type of program best calculated to address his or her needs...Those recommendations are rendered meaningless, however, if the program type called for is not available to the organization making the placement decision. Virtually all caseworkers in the juvenile field have had the experience of knowing exactly what a youngster needed to succeed but did not have the capacity to deliver it.*[19]

Alternative programs will only be ordered if the court considers them seriously at the dispositional hearing. In the average juvenile court, judges rely on probation officers' recommendations on dispositions 90% of the time. There is a tendency for defense attorneys to lose interest in a case after the adjudication hearing. Moreover, the alternative schemes often rely on a family member or friend agreeing to a probation order that includes a role for themselves. Finding such adults and persuading them to agree to such a role (e.g. monitoring a youth's weekend activities) takes time. It is important to demonstrate to the judge that there is support for the young person in the community. When a serious effort is made to maximize the use of creative probation orders, the results are dramatic.

In 1980, the Public Defender's office in San Francisco persuaded two social workers to prepare alternative programs for offenders for presentation at the dispositional hearings.[20] In the first year of the program the rate at which juveniles were committed to detention dropped by 40%. Over a ten year period, as a result of this and other efforts, admissions to state juvenile correctional facilities dropped by 80%. This remarkable change in incarceration rates happened in a period when the number of juvenile delinquency petitions heard by the courts were increasing. There was more to this change, however, than the social workers presentations at the dispositional hearings. Two community programs, the Real Alternatives Project in the Hispanic Mission District and the Omega Boys Club in an African American neighborhood agreed to accept youth from the program. Nonetheless, the key action was persuading the court at the dispositional hearing that a real alternative to incarceration existed for each particular offender.

In Los Angeles a formal experimental study is being conducted on a similar program called Client Specific Planning. In this study 200 youth have been randomly assigned to an experimental group which goes through an intensive dispositional planning process and a control group who do not. The Rand Corporation is studying the effects of the program, and the preliminary analysis shows that 53% percent of the experimental group were diverted from incarceration compared to 26% percent of the control group. Moreover, the youth who entered the Client Specific Planning program had much lower recidivism rates than the average for the California Youth Authority.

Every juvenile offender who has been adjudicated delinquent should be evaluated for suitability for an alternative program. Priority for alternative programs should be given to those juveniles who would otherwise be sent to detention or juvenile correctional facilities. The presentation of an alternative plan should become a staple of the dispositional hearing.

Juvenile Intensive Probation Supervision[21]

> *The lives of those who are imprisoned are affected in many ways. One major effect is reduced employability. A reduced opportunity for employment is important because it may lead to recidivism....Since adolescence is a period during which there is preparation for employment, the consequences of imprisonment for youth are particularly devastating.*[22]

The Juvenile Intensive Probation Supervision program (Juvenile IPS) was initiated in the Juvenile Court of Cook County in 1984 as a pilot project. It was designed to provide a dispositional alternative to commitment to the Illinois Department of Corrections (IDOC) for property offenders 13 years and older who do not have a history of violent offenses or psychological problems. Juvenile IPS takes youth who are classified as being "in IDOC jeopardy". This is defined as being "eligible" for admission to IDOC based on the number and seriousness of the juvenile offender's record.

The process of admitting a juvenile to the program is painstaking. The juvenile has to fit the program guidelines, and both he and his family must be willing to abide by the individual probation program set up for the juvenile. As part of the evaluation there are interviews with the juvenile and his parents to discuss the program, assess the stability of the home and the community, and gauge the chances for a successful graduation from the program. If the decision is made to accept the candidate into the program, a probation program is developed. The Juvenile IPS officer appears at the offender's dispositional hearing in the Juvenile Court and presents the probation plan which details the length of the initial time required in temporary custody (at the detention center) and other specifics of the offender's curriculum.

The Juvenile IPS program is twelve months long and starts with a 30 day period in the Juvenile Detention Center for evaluation and orientation. After the 30 days, the juvenile is released to strict home detention for a length of time decided by the judge. This period is the most important part of the program because of its intensity. The offender is basically held in the custody of his own home. He is subjected to unannounced, round the clock visits and is required to have face to face contact with probation personnel five times a week. According to the Juvenile IPS guidelines: "a typical week might include one office visit, one school visit, three telephone contacts at night, a Saturday morning contact while [the youth is] performing a community [service], and one evening visit." A list of the probationers in the Juvenile IPS program is given to local police who assist in providing surveillance and providing re-arrest data.

The young person's field probation officer verifies that the youth is attending school and/or searching for employment. Staff members often help the older teen secure employment, although the prime responsibility for this belongs to the probationer.

Community service is a requirement of every individual probation program and is a fit between the community's and the young person's needs and capacities. Some youth are required to pay restitution for damages they caused or property they have stolen as a form of service.

A key aspect of the program is providing juvenile offenders with the help needed to straighten out their lives. This includes tutoring, vocational education and counselling. Offenders who have drug problems are often enrolled in community based drug treatment programs. When drug treatment is part of the probation plan, the young person must stay in the program as a condition of staying in the Juvenile IPS.

The most intensive part of the program lasts for three months. If these program requirements have been satisfactorily fulfilled, the youth passes through two additional two month periods with decreasing supervision. Throughout the year, however, the youth is subject to community service, educational and/or job requirements, record checks, and restrictions on driving privileges.

During the entire term in Juvenile IPS, the youth is subject to the consequences of breaking the rules and violating the conditions of his probation. Just as the program is tightly structured, so are the reprimands for breaking the rules. The most common sanction is "home detention." This sanction confines the youth to his home and allows him to leave only to go to school or to a job. Sanctions range from a verbal reprimand to time spent in the temporary detention center to a petition to revoke probation and commit the youth to the Illinois Department of Corrections if necessary.

A 1990 Administrative Office of the Illinois Courts evaluation of the Juvenile IPS program[23] found the program effective in providing services to this population. Because the program is still relatively new, the true recidivism rate is not known. However, program officials estimate that 60 percent of the youth involved with the program have avoided incarceration in the Department of Corrections.

While the program is not inexpensive by the standards of regular probation ($1,200 per person a year compared to $300), it is, of course, less expensive than the $25,858 spent on detention per person a year[24] or the $31,111 cost of incarcerating a delinquent in the juvenile division of IDOC.

In its 1990 report, the Administrative Office of the Illinois Courts makes two recommendations about the program: 1) Not all juvenile offenders merit the initial 30 day period in detention. These offenders might be better served by spending more time in the community with their probation officers. Moreover, some of the offenders have already spent time in detention during the juvenile court proceedings and would not benefit in any way from a longer stay in detention. 2) The criteria for admitting youth to the program should be changed to allow more young offenders to benefit from the program.

The big question about Juvenile IPS is why the program is so small. There are places for 150 youth in the program. The fact that such a successful program is not larger (it was recently expanded from 100 places) is a sad commentary on the lack of interest from the state legislature on down for alternative programs for juvenile delinquents. Locking up offenders who are a danger to their neighborhoods is a necessity. Pushing incarceration for juveniles who do not need to be locked up as part of a political campaign neither serves short term security or the long term security that comes from increasing the number of young people who make the transition to lawful employment and responsible citizenship.

The Early Offender Program[25]

> ***Early intervention programs treat potential offenders at the start of their criminal careers to reduce the offense rate throughout their career.***[26]

The Early Offender program (EOP) was initiated in 1988 to deal with the increase in the number of children aged 10-14 who have had contact with the juvenile court. That contact might not have resulted in an adjudication of delinquency, but observers were concerned that the court had no dispositional options suitable for such young children. There was also the danger that, absent such options, young offenders would have their petitions dismissed only to return later with a long string of delinquent acts alleged against them.

EOP was devised to provide intensive supervision and service delivery to 72 children aged 10-14 with prior station adjustments, previous cases that have been dismissed by the court, and who have special needs, e.g. educational deficiencies, troubled parents and/or psychological problems. The notion is that this group of children are particularly at risk of getting into more trouble, but that some of them would respond to appropriate attention.

EOP is a part of the regular probation program. It is not an official program of the court, and it is not an adjudication option and, therefore, cannot be ordered by a judge. If a young offender meets the EOP criteria described above, a probation field supervisor makes the decision to place that offender in the program on the recommendation of the field probation officer.

The heart of the program is individual attention given to a young offender's problems. The program has a group therapy approach, but includes a variety of tactics including referring a family to drug treatment, and health and educational services. The program relies on close supervision of a child's behavior. In order to achieve this, the ratio of probation officers to offenders is 1:12. Since the EOP program is staff intensive it is expensive. The average cost per offender per year is $2,778. The program lasts an average of 12 months.

As with the Juvenile IPS, a probation agreement which describes responsibilities and sanctions is made with each family. For example, a child who has been truant may be asked to agree to attend school regularly or else spend time in detention. The small caseloads allow the probation officer to respond quickly to any problems or violations of the probation order.

The EOP program is a younger child version of Juvenile IPS. As such it probably holds considerable promise. But there has been no formal evaluation of the program nor of the number of children who might benefit from it. The program should be evaluated so that it can be fine tuned and expanded. (See Appendix II for a comparison of probation programs offered to juveniles in Cook County.)

The Unified Delinquency Intervention Service (UDIS)

> ***Traditionally, juvenile institutions have been little more than reform schools where emphasis has been placed on work and discipline with little attention paid to discovering and modifying the basis of the delinquent's deviant behavior. A failure to prevent juvenile delinquency working with traditional approaches resulted, therefore, in a national concern for new approaches [such as UDIS] which would attempt to deal with particular environmental conditions that are believed to contribute to delinquency.***[27]

UDIS originated in 1974 as a joint project of the Federal Law Enforcement Assistance Administration and the Illinois Department of Children and Family Services to provide dispositional alternatives to the Illinois Department of Corrections. UDIS was to serve both adjudicated delinquent youths who would otherwise be committed to the Department of Corrections and parolees referred from IDOC who would otherwise be returned to institutions. The goals of UDIS were to reduce the number of commitments to IDOC from the Juvenile Court by one third and to test the effectiveness of multiple impact, short term, community based treatments on young offenders. The program set up an elaborate monitoring process staffed by the Center for Urban Affairs at Northwestern University to make sure that less serious offenders did not slip into the UDIS program. The reason for this caution is the tendency in any social welfare program designed for "extreme" clients to "widen the net" and gradually recruit an increasing number of less "extreme" clients.

In the original program, youths referred to UDIS would negotiate a contract with the probation or parole officer, their families, and the UDIS staff. The contract specified time-lined goals and mutual responsibilities. Contracts included plans for educational and vocational training, individual advocacy, family and individualized counseling and wilderness programs. A small number of the juveniles, never more than 25 percent of the total in the program, spent a short period of time in residential placements (child welfare type group homes).

One of the keys to UDIS was the provision of advocacy services. These are defined in the current UDIS regulations as "activity with the youth which provides emotional support, role modeling, personal and family resource development." The notion is that a young offender's problems in the family, at school, or at work might respond to a form of intervention that stressed helping a young person solve the problems he or she needed to solve to stay in the community, graduate from school and gain the first job. The program was also distinguished by very low caseloads; one staff person to five young people.

In 1976 UDIS's funding equalled $2.4 million. In 1982, in the middle of a severe fiscal crisis in Illinois, the UDIS program was completely dissolved. Later in the fiscal year funding was restored to $444,000. In the process UDIS lost the means to provide residential care and never regained its early funding levels. UDIS's current appropriation is $1.3 million. If the appropriation had kept pace with inflation it would be funded at $5.7 million. In constant dollars, UDIS is now funded at a mere 21 percent of its original appropriation.

This drastic decrease in federal and state funding has left UDIS able to support only 600 youth in a year in its three, six, or nine month program cycles. Forty-seven counties in the state lack any UDIS program. These budget cuts have taken place despite the evidence that UDIS is doing its job. Seventy-eight percent of UDIS youth graduate from the program without being committed to the Department of Corrections and 63 percent of program participants leave the program either enrolled in regular or vocational education or gainfully employed. Unlike some alternative programs, UDIS takes some youth who are involved with drugs and refers them for drug treatment. UDIS funding should be quickly increased to its real 1976 level. Any youth appropriately assigned to UDIS rather than the Department of Corrections saves the state the $32,000 difference between the $34,000 annual per person cost of IDOC and the $2,000 annual per person cost of UDIS.

Restitution

> *While the tasks of collecting restitution for victims and developing employment for offenders may seem to imply somewhat different priorities, many practitioners have found restitution and youth programming highly compatible. Instilling positive work values and habits fits well with the accountability and responsibility ethic of restitution programs, while paying restitution can help give structure and meaning to the employment experience.*[8]

The Juvenile Court Act provides that the Court may order a juvenile offender or his parents to pay restitution in monetary or non-monetary form. The theory is simple. The juvenile owes his victim or the victim's community recompense for the offense. In paying restitution the youth is punished and learns how the offense damages other people's lives. The classic example is how taggers, young people who spray graffiti on subway cars or buses, spend weekends in the arduous work of cleaning up some of the damaged vehicles. Restitution teaches youthful offenders the consequences of their actions, the notion of accountability for their actions, and at the same time provides some form of repayment to the community.

In 1990, the Juvenile Court of Cook County returned $135,000 to victims through the monetary restitution program, and nearly 200 juvenile offenders were ordered to perform community service. However, restitution is not as widely used as it might be because of fears about its impracticality. Many victims do not want any contact with the juvenile. Some feel that it is very time consuming to arrange community service. Others believe that restitution on its own is not a strong intervention in a juvenile's life. Still others hold that a restitution order or program is hard to enforce. Restitution programs can be organized to meet these objections. Restitution should not be attempted in situations where direct offender restitution to a victim is inappropriate or infeasible. Research on restitution programs across the country, including some long standing programs, show that they can be practical additions to a Court's dispositional offerings.[9]

Restitution need not, of course, stand on its own as a program for adjudicated delinquents. Restitution programs that have been successful in urban areas have been able, for example, to coordinate extensive job training and job development services to juveniles. A good program would also make referrals where necessary to drug treatment programs, teenage parenting classes and counseling services.

The fear that restitution orders are unenforceable, i.e. the offenders won't show up for service or will not pay, is not justified. In a survey of 15 restitution programs across the country the rate of compliance to restitution orders was very high.[10] About 1% of the respondents reported compliance rates of greater than 90% and only two courts said that more than 50% of offenders failed to pay restitution when ordered to do so. When included as part of a probation order, restitution is just as enforceable as any other probation order, and non-compliance can be dealt with by a variety of sanctions including detention or incarceration. There are no differences in compliance rates with restitution orders among male or female offenders or among offenders of different racial groups. Restitution can be used for a wide variety of offenders.

A restitution program in Valparaiso, Indiana demonstrates the possibilities of this strategy. PACT (Prisoner And Community Together) is a community based organization in a predominately rural and middle income community of approximately 50,000 residents. PACT administers programs such as community service, jail visitation, alternative sentencing and a restitution program called VORP (Victim Offender Reconciliation Program), which started in 1983.

The program uses volunteer mediators who contact the victims and offenders after the offense has occurred. Mediators are recruited from the community and then complete fifteen hours of training. The new mediators then become apprentices and attend two VORP sessions with a trained mediator.

The process starts with a referral to PACT by the court. After the case is assigned to a mediator, the mediator contacts the two parties separately and requests a meeting. During the first meeting with each the mediator proposes a face-to-face meeting with the victim, offender and mediator to discuss the crime and possible restitution. PACT has found that sixty percent of the victims agree to meet with the offender. During the face-to-face meeting with mediation the victim and offender are free to ask questions and talk with each other about the events surrounding the crime. The mediator eventually guides the conversation toward working out an agreeable restitution plan. PACT utilizes community service and monetary reimbursement and, occasionally, direct work for the victim.

The PACT combines direct accountability for the offense and victim reparation. By having face-to-face meetings the offender is held accountable, even if monetary repayment does not occur. The victims can confront the offender with their questions, and expect answers. VORP utilizes community service, victim service or direct repayment. Direct repayment and community service are the most popular forms of restitution.

There are sound practical arguments for expanding the use of restitution programs. Restitution can be used as an alternative to detention as a punishment, and can easily be combined with other components of a probation order. It has the distinct advantage of serving the multiple functions of punishment, skill training, turning a community problem into a small scale community resource, and teaching young offenders a different way of interacting in their communities.

Electronic Monitoring

> *If successful, house arrest could provide a much needed "intermediate" form of punishment. If unsuccessful, house arrest could lead to more punitive and expensive sanctions for a wider spectrum of offenders. Which scenario proves true in the long run will depend on whether policymakers take the time to develop programs that reflect the needs and resources of local communities."*

Some juvenile justice jurisdictions in this country are experimenting with electronic monitoring of juvenile offenders to ease the expense of incarceration and reduce overcrowding in juvenile detention facilities. Probation officers use electronic surveillance (which may involve several technologies) to determine whether an offender is where he should be at any time of the day or night. It is particularly useful in determining whether an offender is observing the curfew provisions of his probation order, and in monitoring juveniles who would otherwise be incarcerated. Electronic monitoring is not, however, a substitute for personal contact between an offender and a probation officer.

There are currently three types of electronic monitoring systems in use, all of which operate via the telephone. The first method, the verifier box, is connected to the offender's phone which allows a computer to call the juvenile at home. Random calls are made within the time periods the juvenile is supposed to be home. When the juvenile answers the phone he is required to insert a device securely attached to his wrist into the verifier box. If there is no verification of the offender's presence, the probation officer can use that information to assess whether the violation is serious enough to bring the offender back to court on charges of violating the probation order. The second method uses video monitors connected to the offender's phone. When called, the juvenile is required to appear in front of the camera to verify that he or she is at home. The third method employs a tracking device that is a transmitter attached to the juvenile offender's wrist or ankle in a way that only permits the probation officer to remove it. The transmitter emits a radio signal which is picked up by a receiver attached to the juvenile's phone. As with the other two methods, the probation officer can record random checks on the offender's presence in his home via computer.

Electronic tracking has advantages and disadvantages. It has a clear cost advantage over incarceration in situations where the court decides that a close check has to be kept on a juvenile offender but where incarceration is not absolutely necessary. "The average cost of electronic surveillance is $6 per day" compared to the $71 cost for keeping an offender in the Cook County juvenile detention center or the $85 a day cost of incarceration in an Illinois Department of Corrections juvenile facility (FY'89). The annual costs of the video system and the verifier box method are $2,500-$5,000 per offender while tracking devices cost from $4,500-$8,500 a year. This translates to substantial savings when compared to the annual costs for detention ($25,858) and incarceration ($31,111).

Electronic monitoring also allows the court to tailor-make a probation order r to the situation of each young person. Electronic surveillance, unlike incarceration, allow s an offender to maintain ties with his family and community, retain employment and stay in counseling or educational programs. It can be used instead of pre-trial detention thu us reducing the number of juveniles in the temporary detention center.

The chief disadvantage of electronic surveillance is that it could be used to widen the net of intrusive punishments past the number of offenders for whom such intrusive measures are justified. If it is used as an alternative to incarceration, it can be a cost-effective, less severe form of surveillance. If it is used on juveniles who would otherwise be appropriately placed either on probation or intensive probation, electronic surveillance becomes an expensive and intrusive waste of resources.

Another danger is a program of surveillance that is used without other elements of a probation plan. Merely confining a juvenile to his home during curfew hours will not necessarily help the youth stay with an educational or drug treatment program, or employment. Electronic surveillance is no substitute for personal contact with a probation officer or other adult who can check and guide the young person's behavior.

Electronic surveillance will be quite unsuitable for offenders who, for example, could obey curfew rules while simultaneously run a drug operation from their homes. It would also be unsuitable for offenders who had the electronic skills to fool the surveillance technology.

Electronic surveillance has some merits under some circumstances. Given its dangers, however, the court should not use it extensively until strict guidelines are constructed to determine when it is a legitimate tool in a probation order, and when it is inappropriate.

Detention

> *The detention period is considered one of the most critical experiences during the court process and how juveniles are handled at this point may affect their later prospects for change. The fact that detention can be a period of uncertainty and crisis for the juvenile and a period which demands careful procedure requires that the policies surrounding the administration of detention be clearly examined.*[7]

Until the early 1980s juvenile detention was used for holding juveniles who might not otherwise turn up to their court hearings. In 1983, Illinois followed several other states in making detention a dispositional alternative. Juveniles may now be ordered to spend up to 30 days in a detention facility. Partly as a result of this Cook County's juvenile detention center has become overcrowded.

This change was not inevitable. New York City, with a population similar to Cook County's, has 235 detention beds compared to Chicago's 498 and in 1987 had 3,569 admissions compared to 5,609 in Chicago. The extra money Cook County spends on detention is probably better spent on the alternative programs that put the young offender under the close supervision of an adult in the offender's community.

New York's program has another feature that Cook County should follow immediately. Juvenile detainees and their parents are offered the chance to enroll in the Aftercare Program. The first stage of the program is an assessment of the child and his home environment while he is in detention. The assessment includes educational, health and job readiness status. When the juvenile leaves detention, the Aftercare case manager helps to get the person re-connected with school or to some alternative educational program and arranges, for example, health and vocational training services. New York City frequently has more young people enrolled in the 4 month Aftercare program than in the detention center.

The justification for Aftercare is simple. Merely using a detention center as a holding center is a waste of money. Juvenile offenders have a higher rate of educational problems and health problems than their peers. The time in detention can be made more productive by an assessment of the young person's problems followed by a plan to get the youth the kind of help he needs when he returns home. Cook County should offer such a program to young people in the detention center as soon as possible.

Drug Treatment Programs

> *Effective programming for the treatment of juvenile delinquents with drug problems may require a combination of interventions.*[34]

About 50 percent of all serious juvenile offenders are thought to use multiple illegal drugs and alcohol.[35] This means that, as a conservative estimate, at least 1,000 serious juvenile offenders a year in Cook County are multiple drug users. About 40 percent of juveniles adjudicated for violent crimes admit to using drugs immediately prior to their violent behaviors. For the majority of youth, drug involvement builds during the teen years and peaks in the early 20s. Some percent of drug users stop using drugs of their own accord. However, the small number of youth who persist in both serious crime and serious drug use commit a disproportionate number of violent crimes and property crimes.

Drug addiction massively complicates the process of reattaching a juvenile offender to school and to the legal job market. Drug treatment, therefore, has to be part of any alternatives program for offenders who are addicted. Conversely, an offender's drug use is intricately connected to the other parts of his life and drug treatment programs have to deal with the young person's problems. But these assertions lead to two critical and practical questions: does drug treatment work and are there enough drug treatment programs in Cook County?

Drug treatment is still experimental in the sense that it cannot be stated with great confidence what treatment works for what kind of person abusing a particular kind of drug. But a reasonable percentage of young people who enter drug treatment programs do significantly reduce their drug use.

There are clearly not enough drug treatment resources in Cook County. In FY 1990, the Juvenile Court referred 491 juvenile offenders to drug treatment programs and 320 of them were treated. The Treatment Alternatives for Special Clients (TASC) organization, which has the major responsibility across the state for assessing individual's drug treatment needs and referring them to appropriate programs, currently monitors only 140 juveniles in drug treatment programs in Chicago. This number of places is clearly inadequate for the juvenile offender population.

Representatives of the Court, (including the various alternative programs and the probation service), TASC, the Administrative Office of the Illinois Courts, and the Illinois Departments of Drug and Alcoholism and Substance Abuse, and Children and Family Services should agree on optimal target levels and dates for the expansion of drug treatment programs. This is the first step towards expanding the capacity of drug treatment programs to cope with the demand from the Juvenile Court.

Appendices

Appendix I

- Recidivism Rates in Alternative Programs

Appendix II

- Figure 1. Juvenile Adjudications in Cook County, 1977-1988

- Figure 2. Juvenile Offenses in Cook County. Violent V. Property. 1976- 1988

Appendix III

- Table 4. Comparisons of Probation Programs in Cook County

Recidivism Rates in Alternative Programs

There are few studies of recidivism rates for alternative juvenile programs, and even fewer about programs in Illinois. There are several reasons for this problem: (1) data linking juveniles' police and juvenile court records do not exist; (2) funding for studying and tracking this information is scarce; (3) alternative juvenile programs in Illinois are either newly implemented, not yet evaluated, or not allowed to remain viable long enough for statistics to be generated; (4) programs do not serve enough juveniles to allow a stringent evaluation.

Since there is so little data on recidivism in Illinois, it is necessary to look at the record of other states that have employed creative alternatives for juvenile corrections. Any attempt to apply the experience of other states to Illinois should take into account differences in types of youth handled, differences in juvenile justice practices and reporting standards and the organization of the system, as well as the effects of such environmental factors as the degree of urbanization and the character of the drug trade. With these cautions in mind, NCCD researchers compared the recidivism rates of the Massachusetts Division of Youth Services to correction systems in other states.[36] Massachusetts, known for its innovations in juvenile corrections, replaced its training schools and juvenile prisons with a series of smaller and individually oriented interventions. Not only was the move cost effective, but recidivism rates declined.

Comparisons with Illinois figures suggest that the Massachusetts program was more successful in lowering recidivism rates. IDOC provided the NCCD researchers with data which looked at the recidivism rates of 1,197 youths who were released from IDOC juvenile facilities in 1983. Recidivism in this case was defined as the number of youth readmitted to IDOC juvenile facilities within 36 months of release. IDOC took a random sample of 300 of the 1983 group and ascertained the number who were subsequently sent to Illinois prisons. (The number of offenders sent to Illinois jails as juveniles was not included in this estimate.)

The results of this comparison revealed that Illinois' recidivism rate was close to 50% while Massachusetts' was close to 25%. This study compares Massachusetts' DYS program (which consists mainly of alternative programs) to IDOC and not the alternative programs in place in Cook County and elsewhere in the state so it gives some indication of the comparative success of alternative programs.

Recidivism rates have been estimated for the Juvenile IPS program. When the program was first implemented in December 1984, "39 cases were referred, accepted, and assigned to the IPS program...Only 11 of the 39 had violation of probation charges filed against them. Of these 11, 9 continued in the program after a short stay in the Juvenile Temporary Detention Center and 2 were committed to DOC. Thus for 37 of the 39 served, the IPS program has been a successful alternative to a DOC commitment."[37] Recently it has been said that the

Juvenile IPS had a success rate of 60%, i.e. 6 out of 10 juveniles who successfully completed Juvenile IPS avoided IDOC facilities during the term of the experiment.

Cook County provides some data about recidivism rates in the probation system. Figures from the Cook County Juvenile Court summary statistics for the years 1977 to 1989 show a dramatic increase in the number of juveniles who violated probation.

Table 3. Violations to Probation in Cook County Juvenile Court 1985-1989[38,39,40,41]

	1985	1986	1987	1988	1989
Total Probation	7,450	6,834	6,788	7,991	9,011
Violation of Probation	6100	888	862	758	816
Percent Violation	8.19	12.99	12.7	10.84	11.04

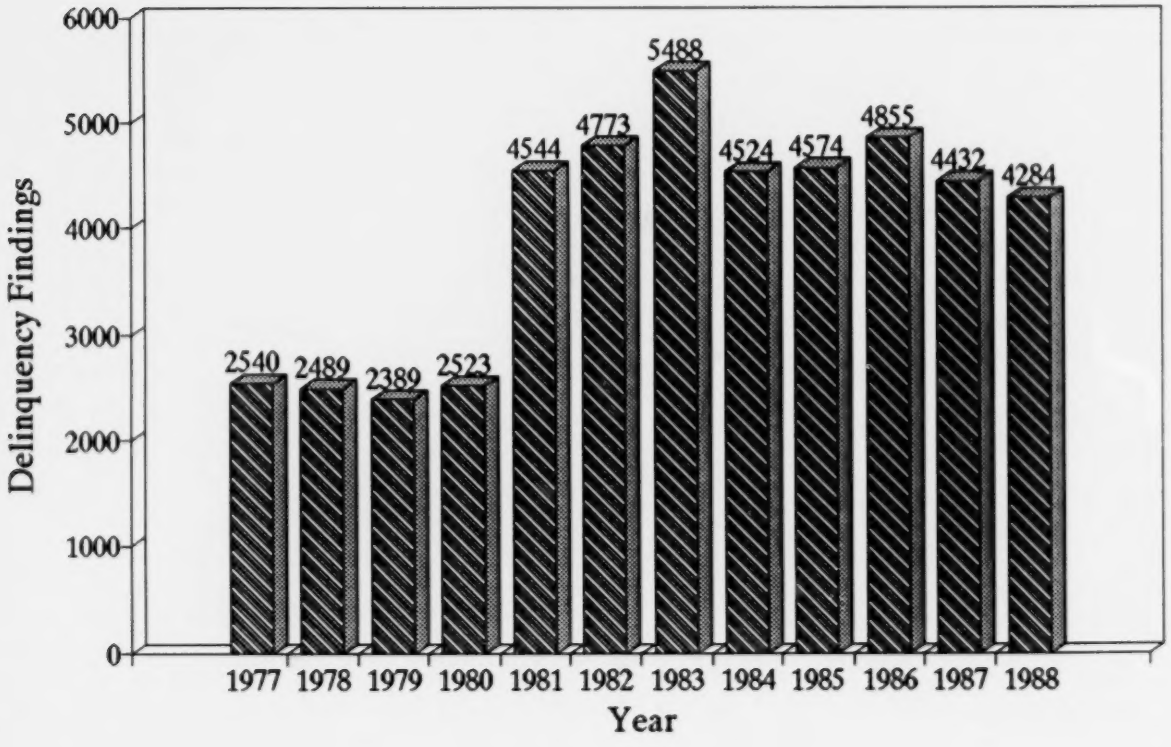
It is, however, difficult to draw conclusions from this data mainly because there is no indication of the type or seriousness of the violators. No estimates have been made for the success of the Early Offender program because the system was only introduced recently.

One of the most interesting aspects of the debate about electronic monitoring is that recidivism rates are rarely an issue. The most widely used argument for electronic monitoring, especially in the area of juvenile justice, is the cost benefit. There is one study which analyzes recidivism rates resulting from electronic monitoring programs in Fort Wayne, Indiana. The study reported, "There were no serious violations committed by program participants; although two juveniles escaped, they did not commit additional crimes. The juveniles simply removed the wristlet and left it in their home before they ran, and were caught shortly after they absconded. Juveniles who had committed crimes of violence were not allowed into the program."[42]

The data on recidivism rates are, in short, unsatisfactory. It is probably fair to say that recidivism rates for alternative programs are no worse than for incarceration and that they might be considerably better. Alternatives to corrections, however, can be justified on other grounds. They are cost effective and give offenders a better long term chance of staying out of trouble because they can be designed to keep offenders involved in educational and employment programs.

Appendix II, Figure 1.

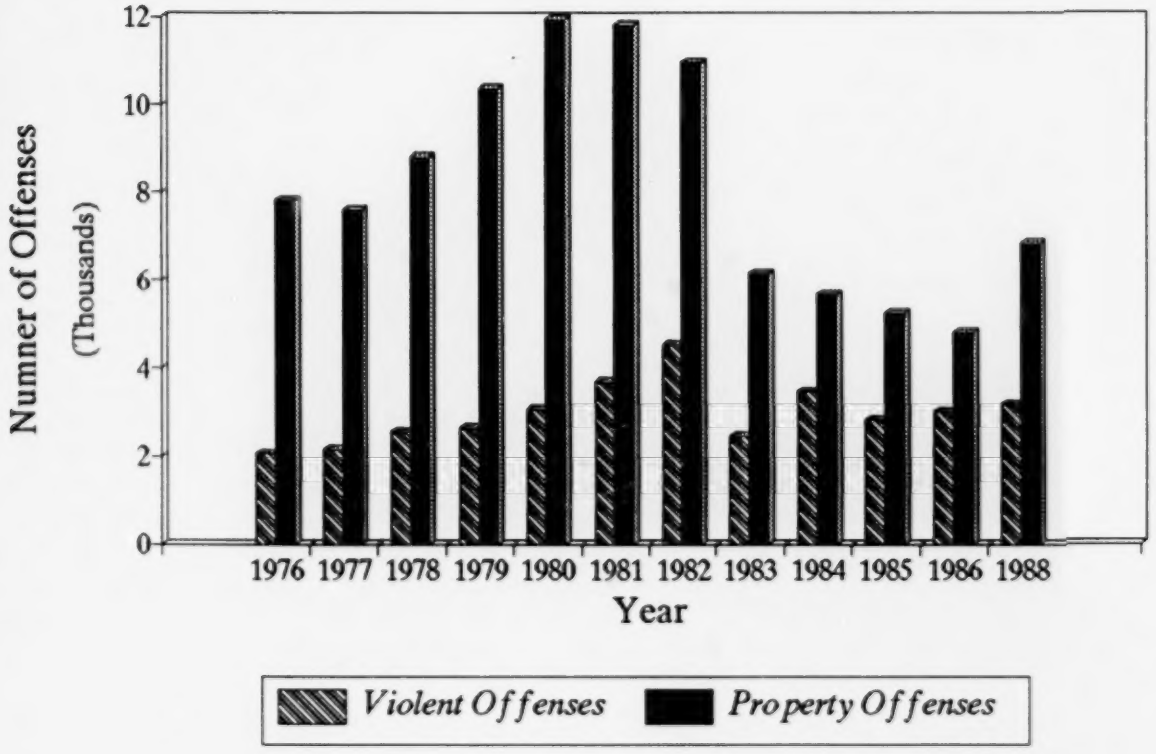
Juvenile Delinquency Adjudications in Cook County 1977- 1988



Source: *Circuit Court of Cook County, Juvenile Division.* Juvenile Court Report(s). 1977-1986. *Circuit Court of Cook County, Juvenile Division.* Courtroom Activity for the Year(s) of 1987-1989.

Appendix II, Figure 2.

Juvenile Offenses in Cook County Violent v. Property 1976-1988



Source: *Circuit Court of Cook County, Juvenile Division.* Juvenile Court Report(s). 1977-1986. *Circuit Court of Cook County, Juvenile Division.* Courtroom Activity for the Year(s) of 1987-1989.

Appendix III

Table 4. Comparisons of Probation Programs in Cook County

Category	Regular Probation	Intensive Probation Services IPS	Early Offenders Program EOP
Age Served	Regular Probation serves youths aged thirteen to seventeen.	Intensive Probation Services serves youths over the age of thirteen.	The Early Offenders Program serves children between the ages of ten and fourteen.
Type of Offenses	Juveniles who do not qualify for either IPS or EOP because of age or offense type are put on regular probation. Therefore, the range in age and offense is wide.	Juveniles referred to IPS are in "DOC jeopardy", and would be considered for commitment to the Illinois Department of Corrections Juvenile Division. They are non-violent repeat property offenders who have consented to participation in the program.	Children are referred after their first finding of delinquency after a history of police contacts and/or if they have special needs such as psychological or educational.
Program Participation	7,450 (1989)	100 (1989)	72 (1989)
Program Length	Variable	The program is twelve months long and segmented into phases.	One year depending on specific conditions
Number Contacts Between Field Officer and Juvenile	It is mandated that each probationer receive one visit from his or her probation officer per month. However, this varies depending on the case load of the field officer.	The number of contacts during the week varies from two to five depending on the individual's need.	Two to three per week as needed
Program Structure	Due to high case loads this program is loosely supervised.	There are three phases of declining supervision each tightly monitored.	Close contact among field officer, child and family
Special Features		The juvenile is in frequent contact with assigned field officers and is provided counseling if needed.	Family therapy by Field Officers and referrals to available agencies.
Number of Field Officers	354	There are eight field officers assigned to teams of two.	Six
Child/Staff Ratio	According to this information, there are 21 juveniles assigned to 1 field officer (based on estimates of field officers and supervisors).	There are twenty-five juveniles to a team of two field officers.	Twelve juveniles are assigned to one field officer
Recidivism Rate	This is difficult to calculate from existing data however it is believed to be higher than that for IPS.	Sixty percent of the IPS probationers successfully complete the program and do not serve time in IDOC.	Because the program is new, it is difficult to determine recidivism rates.
Education Program	The requirements are the same as those of IPS however monitoring is not as strict due to the heavy case loads.	If subject to compulsory education, the juvenile must attend school. Attendance is closely monitored.	Child must attend school. Attendance is closely monitored.

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